

Application No. 10/663,502
Amendment dated February 28, 2005
Reply to Office Action of November 29, 2004

REMARKS

Claims 2-5 and 20-26 are now pending in the application with claim 20 being the sole independent claim. Claims 2, 3, 4, 5, 23, and 24 have been amended to depend from the new independent claim. The amendment to claim 20 included adding all of the limitations of previous independent claim 1 therein to render claim 20 independent.

In the Office Action dated November 29, 2004, claims 20-27 were not examined as it was alleged that they contained subject matter that was previously non-elected. Applicant asserts that the subject matter of claims 20-27 are merely additional features that are operable with the limitations of the independent claim. By incorporating the limitation of the video camera into the independent claim, this feature is now a part of the elected invention. The specification of the present application supports such an amendment and grouping of claims. Accordingly, Applicant asserts that all claims of the present application should be examined and respectfully requests the same.

The specification was objected to for having a number of informal problems. Each of these problems has been corrected and Applicant respectfully asserts that these objections have been overcome.

Claims 1, 3, 4, and 5 were rejected under 35 U.S.C. 102(b) over U.S. Patent Nos. 6,290,428 to Hall et al (Hall), or 5,354,145 to Sterner (Sterner), and claim 2 was rejected under 35 U.S.C. 103(a) over Sterner in view of U.S. Patent No. 5,851,085 to Campbell (Campbell). The amended claims now require a video camera positioned to permit an operator of the apparatus to visually

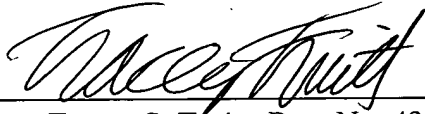
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locate and follow an elongated roadway crack during movement of the apparatus. Such a feature is not disclosed, taught, or suggested by any of the cited references or any art of record. Accordingly, it cannot be said that any combination of Hall, Sterner, and Campbell anticipates and/or obviates the present invention.

In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited. If the Examiner has any questions during the review and/or examination of this amendment, he is encouraged to contact the undersigned at 1-800-445-3460. Any fee which is due in connection with this response should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

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